

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

NADIST, LLC,)
)
Plaintiff,)
)
vs.) Case No. 4:06CV969 CDP
)
THE DOE RUN RESOURCES)
CORP., et al.,)
)
Defendants.)

MEMORANDUM AND ORDER

After careful review,

IT IS HEREBY ORDERED that plaintiff's motion to compel responses to requests for admissions [#52] is denied.

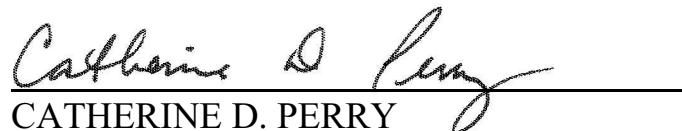
IT IS FURTHER ORDERED that plaintiff's motion to compel access for inspection and other purposes [#55] is granted, and the Doe Run Resources Corporation is ordered to permit inspection of the Sweetwater Mine and Mill and all property associated therewith ("the Site") as follows:

1. Five or fewer persons may at one time enter the Site with their necessary vehicles and equipment and conduct an inspection of the Site on behalf of the plaintiff. This group of persons ("plaintiff's Inspection Team") shall conduct their inspection consistent with the inspection plan previously provided to

defendants' counsel on November 15, 2007, or as otherwise agreed by the parties and memorialized in writing. The inspection plan and any amendments made consistent with this Order are referred to as "the Inspection Plan."

2. Plaintiff's Inspection Team shall be given access to the Site for the purpose of carrying out the Inspection Plan upon entry of this Order.
3. The inspection shall be conducted in accordance with the Inspection Plan.

IT IS FURTHER ORDERED that defendants' motion for leave to file a third-party complaint [#58] is granted, and defendants' third-party complaint is deemed filed as of this date. Defendants are reminded of their obligation to promptly serve the third-party complaint on the new parties.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 13th day of December, 2007.